

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN A. JOHNSON,

Plaintiff,

v.

UNKNOWN,

Defendant.

No. C 15-05306 HRL (PR)

**ORDER OF DISMISSAL**

On November 19, 2015, Plaintiff, a state prisoner proceeding pro se, filed a letter which the Court construed as an action pursuant to 42 U.S.C. § 1983. (Docket No. 1.) On the same day, the Clerk sent Plaintiff notices informing him that in order to proceed he must file a complaint on the Court's form and either pay the filing fee or file an application to proceed in forma pauperis ("IFP"). (Docket Nos. 2 and 3.) Plaintiff was provided with blank copies of the Court's complaint form and IFP application. (Id.) On December 21, 2015, Plaintiff filed a completed IFP application. (Docket No. 5.) However, Plaintiff has failed to file a complaint within the time provided. Accordingly, this case is **DISMISSED** without prejudice for failure to file a complaint.

The Clerk shall terminate any pending motions and close the file.

**IT IS SO ORDERED.**

DATED: 1/15/16

  
HOWARD R. LLOYD  
United States Magistrate Judge

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOHNSON,

Plaintiff,

v.

Defendant.

Case No. 15-cv-05306-HRL

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on January 19, 2016, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

John A. Johnson ID: Prisoner Id E-89817  
C.D.C.R.  
P.O. Box 32290  
Stockton, CA 95213

Dated: January 19, 2016

Susan Y. Soong  
Clerk, United States District Court

By:   
Patty Cromwell, Deputy Clerk to the  
Honorable HOWARD R. LLOYD